



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

SENT VIA EMAIL

April 14, 2010

Mr. Stephen M. Quigley  
Conestoga-Rovers & Associates (CRA)  
651 Colby Drive  
Waterloo, Ontario, Canada  
N2V 1C2

US EPA RECORDS CENTER REGION 5



RE: CRA's April 1, 2010 Letter Re: Agreed Upon Scope of Streamlined and Conventional Feasibility Study Reports, South Dayton Dump and Landfill Site, Moraine, Ohio

Dear Mr. Quigley:

The United States Environmental Protection Agency (EPA) has reviewed CRA's April 1, 2010 letter concerning the agreed upon scope of the streamlined and conventional feasibility study (FS) reports for the South Dayton Dump and Landfill Site in Moraine, Ohio.

Although EPA cannot be certain until the RI/FS reports are reviewed, based on CRA's April 1, 2010 letter, EPA would like to caution CRA that it appears that portions of CRA's reports may not be consistent with the direction for addressing operable units (OUs) 1 and 2 at the Site outlined to CRA in EPA's January 9, 2008, February 16, 2010 and March 15, 2010 letters; or with EPA policy and guidance (see, for example, "Summary of Key Existing EPA CERCLA Policies for Groundwater Restoration", OSWER Directive 9283.1-33, June 26, 2009). It also appears that portions of CRA's RI/FS reports may not be consistent with the Statement of Work in the Respondent's 2006 Administrative Settlement Agreement and Order on Consent (ASAOC), Docket No. V-W-06-C-582.

For example, EPA has continually directed CRA to develop remedial alternatives to prevent groundwater contaminants above Maximum Contaminant Levels or unacceptable risk levels from migrating beyond the **perimeter of the landfill**, without the proviso that there would be exceedances at current downgradient receptors before treatment and/or containment would be considered. EPA's principles for groundwater remediation require cleanups to be protective of both

current and potential future groundwater use, and do not allow groundwater contamination to continue to migrate and further contaminate the aquifer. These guiding principles should be incorporated into any assessment of alternatives for this Site.

Additionally, EPA has also questioned how CRA will consider the nature of the waste disposed in various areas of the Site, and human health and ecological risks posed by Site contaminants, in evaluating capping and landfill gas requirements. As pointed out in EPA's February 16, 2010 letter to CRA (see Issue 3), hazardous substances have been found above screening levels and unacceptable risk levels across the entire Site. Also, CRA did not collect data to support a quantitative human health or ecological risk assessment.

As such, EPA is reserving its right to conditionally approve, disapprove and/or modify any portions of the documents CRA submits that are not consistent with the direction for addressing OU1 and OU2 at the Site outlined in EPA's letters to CRA, or that are inconsistent with EPA guidance, the National Oil and Hazardous Substance Pollution Contingency Plan or the 2006 ASAOC, consistent with the process and procedures outlined in Section X of the Administrative Settlement Agreement and Order on Consent Docket No. V-W-06-C-582.

EPA looks forward to receiving the streamlined OU1 RI/FS reports from CRA on April 30, 2010, and to continuing to work with CRA and the Respondents to complete the RI/FS for both operable units at the Site. In the meantime, if you have any questions or would like to discuss the Site further, please feel free to contact me at [cibulskis.karen@epa.gov](mailto:cibulskis.karen@epa.gov) or 312-886-1843. Legal questions should be directed to Tom Nash, Associate Regional Counsel at [nash.thomas@epa.gov](mailto:nash.thomas@epa.gov) or 312-886-0552.

Sincerely,



Karen Cibulskis  
Remedial Project Manager

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